

# United States District Court District of Massachusetts

UNITED STATES OF AMERICA,

v.

CRIMINAL NO. 2012-10226-DJC-01

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JOHN KOSTA,  
FIDENCIA SERRANO-ESQUER,  
NESTOR ANTONIO VERDUZCO,  
DENNIS NOWICKI,  
ALEXANDER NAPOLEON,  
TAMARA KOSTA,  
Defendants.

## **THIRD ORDER OF EXCLUDABLE DELAY**

COLLINGS, U.S.M.J.

The Court orders the following period of time excludable from the time period within which trial must commence:

December 21, 2012 - January 2, 2013 - Motion #241 (filing to ruling)

January 3 - 7, 2013 - Motion #245 (filing to ruling)

December 26, 2012 - January 18, 2013 - Motion #236 (filing to ruling)

January 18, 2013 - Conference held.

January 19 - March 28, 2013 - Continuance granted, The Court finds that it is in the interests of justice in this particular case to provide the defendants with 69 additional days to complete their review of the discovery (30 days) provided by the Government and to file pre-trial non-discovery-type motions (39 days) and that those interests outweigh the best interests of the public and the defendant in a speedy trial. Not granting this continuance would deny counsel for the defendant a reasonable time necessary for effective preparation. See 18 U.S.C. § 3161(h)(7)(B)(iv).

Thus, as of March 28, 2013, NO (0) non-excludable days will have occurred leaving SEVENTY (70) days left to commence trial so as to be within the seventy-day period for trial set by statute.

/s/ Robert B. Collings

ROBERT B. COLLINGS  
United States Magistrate Judge

January 18, 2013.